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## NOTICE OF ALLOWANCE AND FEE(S) DUE

23373 7590 03/21/2008

SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER	
WENDELL, ANDREW	
ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 03/21/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,236	10/14/2005	Nahoko Takano	Q89981	1288

TITLE OF INVENTION: SYNCHRONIZATION ESTABLISHMENT BETWEEN A MOBILE STATION AND BASE STATION SYSTEM AND METHOD USED FOR THEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	06/23/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to:** **Mail Stop ISSUE FEE**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23373            7590            03/21/2008  
**SUGHRUE MION, PLLC**  
**2100 PENNSYLVANIA AVENUE, N.W.**  
**SUITE 800**  
**WASHINGTON, DC 20037**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,236	10/14/2005	Nahoko Takano	Q89981	1288

**TITLE OF INVENTION:** SYNCHRONIZATION ESTABLISHMENT BETWEEN A MOBILE STATION AND BASE STATION SYSTEM AND METHOD USED FOR THEM

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nonprovisional	NO	\$1440	\$300	\$0	\$1740	06/23/2008
EXAMINER	ART UNIT	CLASS-SUBCLASS				
WENDELL, ANDREW	2618	455-502000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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23373	7590	03/21/2008	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				WENDELL, ANDREW
ART UNIT		PAPER NUMBER		
2618				DATE MAILED: 03/21/2008

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 364 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 364 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/553,236	TAKANO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	ANDREW WENDELL	2618	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 1/14/2008.
2.  The allowed claim(s) is/are 1-12,21-32 and 35-40.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. This application is in condition for allowance except for the presence of claims 13-16, 17-20, and 33-34 directed to inventions II and III non-elected without traverse. Accordingly, claims 13-16, 17-20, and 33-34 been cancelled.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Howard Bernstein on 3/12/2008.

#### In the claims:

Claims 13-16, 17-20, and 33-34 have been cancelled.

The followings claims have been amended as follows:

Regarding claim 1, line 22 insert -- , -- between "transmitted" and "between".

Regarding claim 1, line 22 insert -- , -- between "station" and "exists".

Regarding claim 1, line 26 insert -- , -- between "transmitted" and "between".

Regarding claim 1, line 26 insert -- , -- between "station" and "does".

Regarding claim 5, line 21 insert -- , -- between “transmitted” and “between”.

Regarding claim 5, line 21 insert -- , -- between “station” and “exists”.

Regarding claim 5, line 25 insert -- , -- between “transmitted” and “between”.

Regarding claim 5, line 25 insert -- , -- between “station” and “does”.

Regarding claim 21, line 16 insert -- , -- between “transmitted” and “between”.

Regarding claim 21, line 16 insert -- , -- after “mobile station”.

Regarding claim 21, line 21 insert -- , -- between “transmitted” and “between”.

Regarding claim 21, line 22 insert -- , -- between “station” and “does”.

Regarding claim 25, line 16 insert -- , -- between “transmitted” and “between”.

Regarding claim 25, line 17 insert -- , -- between “station” and “exists”.

Regarding claim 25, line 21 insert -- , -- between “transmitted” and “between”.

Regarding claim 25, line 22 insert -- , -- between “station” and “does”.

Regarding the specification, page 1 between title and first heading “Technical

Field” insert -- Cross-Reference to Related Applications

This application is a national phase application of International Application No.

PCT/JP04/05447 filed on April 16, 2004, and claims priority of Japan Patent Application No. 2003-110960 filed on April 16, 2003. –

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance: Regarding claim 1, system claim 1 is allowed for the same reason as system claim 5 since the recited elements would perform the claimed steps.

The prior art of record fails the claimed subject matter as claimed and substantially connected in claims 1-4, 9-10, and 12.

Regarding claim 5, the prior art of record, Kim et al. (US 6,714,524) teaches a mobile communication system comprising a base station (Fig. 1A); and a mobile station (Fig. 1A) which performs data transmission/reception with the base station using a wireless link set between them (Figs. 1A and 1B), wherein said base station comprises means for transmitting a downlink individual channel to the mobile station (Col. 2 line 23-Col. 3 line 22); means for starting synchronization establishment operation of an uplink individual channel to be transmitted from the mobile station to base station at a first timing (Fig. 2A) of a specified cycle previously set (Col. 2 line 23-Col. 3 line 22); and means for performing transmission/reception of data to be transmitted in the case where the synchronization between the uplink individual channel and downlink individual channel (Col. 2 line 23-Col. 3 line 22).

The prior art of record fails to teach a mobile communication system comprising a base station; and a mobile station which performs data transmission/reception with the base station using a wireless link set between them, wherein said base station comprises means for transmitting a downlink individual channel to the mobile station;

means for starting synchronization establishment operation of an uplink individual channel to be transmitted from the mobile station to base station at a first timing of a specified cycle previously set; and means for performing transmission/reception of data to be transmitted in the case where the synchronization between the uplink individual channel and downlink individual channel has been established at a third timing of a specified cycle previously set and the data to be transmitted between the base station and the mobile station exists, wherein said mobile station comprises means for transmitting the uplink individual channel to the base station; means for starting synchronization establishment operation of the downlink individual channel at a second timing of a specified cycle previously set; means for performing transmission/reception of data to be transmitted in the case where the synchronization between the uplink individual channel and downlink individual channel has been established at a third timing of a specified cycle previously set and the data to be transmitted between the base station and mobile station exists; and means for suspending at least one of the transmission of the uplink individual channel or reception of the downlink individual channel in the case where the synchronization between the uplink individual channel and downlink individual channel has been established at the third timing and the data to be transmitted between the base station and the mobile station does not exist, and wherein when the synchronization of the uplink individual channel or the downlink individual channel has not been established at the third timing, the synchronization establishment operation is continued.

The prior art of record fails the claimed subject matter as claimed and substantially connected in claims 5-8, 11, and 38-40.

Regarding claim 21, method claim 21 is allowed for the same reason as system claim 5 since the recited elements would perform the claimed steps.

The prior art of record fails the claimed subject matter as claimed and substantially connected in claims 21-24, 29-30, and 32.

Regarding claim 25, method claim 25 is allowed for the same reason as system claim 5 since the recited elements would perform the claimed steps.

The prior art of record fails the claimed subject matter as claimed and substantially connected in claims 25-28, 31, and 35-37.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carlsson discloses locating packet-switched mobile terminals using network initiated artificial cell hops. Matsuoka discloses a mobile communications system, base station, and mobile terminal. Metais discloses a method for controlling a communications channel shared by several stations. Yeh discloses a wireless communications method with channel shared function. Akita discloses a data transmission system, data transmitter, and transmitting method. Bingham discloses a

time and data synchronization between network devices. Kaku discloses synchronization method and apparatus. Chitrapu discloses an apparatus and method for performing initial cell search in wireless communication systems. Shin discloses a method and system for integrating packet type information with synchronization symbols. Morita synchronization system and synchronization method of multisystem control apparatus. Nakai discloses synchronizing system using IEEE 1394 serial bus standard. Laroia discloses an uplink timing synchronization and access control for a multi-access wireless communication system. Naito discloses a mobile communication system, radio base station apparatus, and method for determining uplink reception synchronization. Ishii discloses a base station serial connection communication system in a mobile communication system. Sekine discloses a mobile communication system for accomplishing handover with phase difference of frame sync signals corrected. Ali discloses a method and apparatus for the time synchronization in a data communication system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW WENDELL whose telephone number is (571)272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Wendell/  
Examiner, Art Unit 2618

/Nay A. Maung/  
Supervisory Patent Examiner, Art  
Unit 2618

3/12/2008